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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/623,568		Barbara Miller	98-1895	5274
23377 7590 12/14/2007 WOODCOCK WASHBURN LLP CIRA CENTRE, 12TH FLOOR			EXAMINER	
			ZEMAN, ROBERT A	
2929 ARCH STREET PHILADELPHIA, PA 19104-2891			ART UNIT	PAPER NUMBER
	,		1645	
			MAIL DATE	DELIVERY MODE
			12/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



COMMISSIONER FOR PATENTS United States Patent and Trademark Office Washington, DC 2023

FIRST NAMED INVENTOR / ATTORNEY DOCKET NO. APPLICATION NO./ **FILING DATE** CONTROL NO. PATENT IN REEXAMINATION MILLER, BARBARA 09/623,568

EXAMINER

Robert A. Zeman

ART UNIT

PAPER

1645

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

The communication filed on 6-6-2002 is not fully responsive to the Office communication mailed 7-11-2001 for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or CRF Diskette Problem Report.

Since the abbove mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY DAYS from the mailing date of this notice, which ever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER C.F.R. 1.136(a).

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

- 1. Electronically submitted through EFS-Bio (http://www.uspto.gov/ebc/efs/downloads/documents.htm, EFS Submission User Manual - ePAVE)
- 2. Mailed to:

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Alexandria, VA 22313-1450

3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:

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Customer Window

Randolph Building 401 Dulaney Street Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Examiner Robert A. Zeman, Art Unit 1645, whose telephone number is (571) 272-0866.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

ŘOBERT A. ZEMAN PRIMARY EXAMINER

Notice to Comply

Application No. Applicant(s) 09/623,568 MILLER, BARBARA Examiner Art Unit Robert A. Zeman 1645

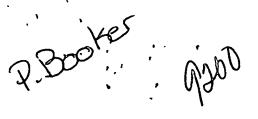
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING **NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

	e nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the puirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):
\boxtimes	1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
	2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
	3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
	4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
\boxtimes	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
	6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
	7. Other: <u>.</u>
	oplicant Must Provide: An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
	An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically recting its entry into the application.
	A statement that the content of the paper and computer readable copies are the same and, where applicable, lude no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).
Fo	r questions regarding compliance to these requirements, please contact:
	For Rules Interpretation, call (571) 272-0731 or (571) 272-0951 For CRF Submission Help, call (571) 272-2510
	PatentIn Software Program Support
	Technical Assistance.1-866-217-9197 or 703-305-3028 or 571-272-6845 PatentIn Software is Available At www.USPTO.gov

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

Rys



RAW SEQUENCE LISTING ERROR REPORT



RECEIVED

SEP 0 3 2002

TECH CENTER 1600/2900

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09

Source:

Date Processed by STIC:

09/623,568A

8/28/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

- PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE
- APPLICANT, WITH A NOTICE TO COMPLY or,

 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216. PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax) PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

http://www.uspto.gov/web/offices/pac/checker

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (http://www.uspto.gov/ebc/efs/downloads/documents.htm, EFS Submission User Manual ePAVE)
- 2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
- 3. Hand Carry directly to:
 - U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
 - U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
- 4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

Raw Sequence Listing Error Summary

ERROR DETECTED	SUGGESTED CORRECTION SERIAL NUMBER: 09/623,568A			
ATTN: NEW RULES CASES	: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE			
Wrapped Nucleics Wrapped Aminos	The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."			
2Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.			
3Misaligned Amino Numbering	The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.			
4Non-ASCII	The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.			
5Variable Length	Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.			
6PatentIn 2.0 "bug"	A "bug" in Patentin version 2.0 has caused the <220><223> section to be missing from amino acid sequences(s)			
7Skipped Sequences (OLD RULES)	Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence: (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading) (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) This sequence is intentionally skipped			
	Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.			
8Skipped Sequences (NEW RULES)	Sequence(s) missing. If Intentional, please insert the following lines for each skipped sequence. <210> sequence id number <400> sequence id number 000			
Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing. Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.			
0Invalid <213> Response	Per 1.823 of Sequence Roles, the only valld <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence			
1Use of <220>	Sequence(s) missing the <220> "Feature" and associated numerio identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)			
2PatentIn 2.0 "bug"	Please do not use "Copy to Disk" function of Patentin version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.			
3Misuse of n	n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.			

AMC/MH - Biotechnology Systems Branch - 08/21/2001



Input Set : A:\EP.txt

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Does Not Compty
      3 <110> APPLICANT: Miller, Barbara
                                                                  Corrected Diskette Needed
             Osmani, Stephen
             Clawson, Gary
             Zhang, Min-Ying
             Norris, James
     9 <120> TITLE OF INVENTION: Use of Human Homolog Of A Nuclear Migration Gene For
Treatment And
    10
             Diagnosis Of Cancer
    12 <130> FILE REFERENCE: PSU-0016
    14 <140> CURRENT APPLICATION NUMBER: 09/623,568A
    15 <141> CURRENT FILING DATE: 2001-03-23
    17 <150> PRIOR APPLICATION NUMBER: 60/076,885
    18 <151> PRIOR FILING DATE: 1998-03-05
    20 <150> PRIOR APPLICATION NUMBER: PCT US99/04996
    21 <151> PRIOR FILING DATE: 1999-03-05
    23 <160> NUMBER OF SEQ ID NOS: 16
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    29 <212> TYPE: PRT
    30 <213> ORGANISM: artificial Sequence
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                                Peptide
    33 <223> OTHER INFORMATION:
    35 <400> SEQUENCE: 1
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    38 1
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    42 <211> LENGTH: 15
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    49 <400> SEQUENCE: 2
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    52 1
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    56 <211> LENGTH: 24
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    58 <213> ORGANISM: artificial Sequence
                                                      same enor as above
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    63 <400> SEQUENCE: 3
    64 ttctgttcgt ctgaagttgg cagc
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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/623,568A

DATE: 08/28/2002 TIME: 10:39:01

Input Set : A:\EP.txt

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ATV NEAR DEMOAN, ET	

Input Set : A:\EP.txt

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159 aggagggtt cgacggcatg ttgctggcca tggctcagca gcacgagggc ggcgtgcagg
                                                                          120
161 agettgtgaa cacettette agetteette gaegeaaaac agaettttte attggaggag
                                                                          180
163 aagaagggat ggcagagaag cttatcacac agactttcag ccaccacaat cagctggcac
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                                                                          300
165 agaagacccg gcgggagaag agagcccggc aggaggccga gcggcgggag aaggcggagc
167 gggcggccag actggccaag gaagccaagt cagagacete agggccccag atcaaggage
                                                                          360
169 taactgatga agaggcagag aggctgcagc tagagattga ccagaaaaag gatgcagaga
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171 atcatgagge ceageteaag aacggeagee ttgacteece agggaageag gatactgagg
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173 aagatgagga ggaagatgag aaggacaaag gaaaactgaa gcccaaccta ggcaacgggg
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175 cagacctgcc caattaccgc tggacccaga ccctgtcgga gctggacctg gcggtccctt
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177 tetgtgtgaa etteeggetg aaagggaagg acatggtggt ggacatecag eggeggeace
179 tccgggtggg gctcaagggg cagccagcga tcattgatgg ggagctctac aatgaagtga
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181 aggtggagga gagctcgtgg ctcattgagg acggcaaggt ggtgactgtg catctggaga
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187 tggaaaagat gatgtatgac cagcgacaga agtccatggg gctgccaact tcagacgaac
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189 agaagaaaca ggagattctg aagaagttca tggatcaaca tccggagatg gatttttcca
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191 aggctaaatt caactagccc ctgttttttc ctccctgaac tcttggggct gagctgcaac
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193 cacceaactt tettteecae tettetetgg gaettgtggg ceteaggget tggggcagge
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195 atgggactgg cccaggcaca caggtcccgg ggcatcagga gaaaggctgg gtcttgggac
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205 <213> ORGANISM: Homo sapiens
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213 Met Ala Gln Gln His Glu Gly Gly Val Gln Glu Leu Val Asn Thr Phe
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217 Phe Ser Phe Leu Arg Arg Lys Thr Asp Phe Phe Ile Gly Gly Glu Glu
221 Gly Met Ala Glu Lys Leu Ile Thr Gln Thr Phe Ser His His Asn Gln
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                            55
225 Leu Ala Gln Lys Thr Arg Arg Glu Lys Arg Ala Arg Gln Glu Ala Glu
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229 Arg Arg Glu Lys Ala Glu Arg Ala Ala Arg Leu Ala Lys Glu Ala Lys
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Input Set : A:\EP.txt

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237 Glu Arg Leu Gln Leu Glu Ile Asp Gln Lys Lys Asp Ala Glu Asn His
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                                                    125
241 Glu Ala Gln Leu Lys Asn Gly Ser Leu Asp Ser Pro Gly Lys Gln Asp
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       130
                                                140
242
245 Thr Glu Glu Asp Glu Glu Glu Asp Glu Lys Asp Lys Gly Lys Leu Lys
                        150
                                            155
246 145
249 Pro Asn Leu Gly Asn Gly Ala Asp Leu Pro Asn Tyr Arg Trp Thr Gln
                   165
                                        170
253 Thr Leu Ser Glu Leu Asp Leu Ala Val Pro Phe Cys Val Asn Phe Arg
               180
                                    185
                                                        190
254
257 Leu Lys Gly Lys Asp Met Val Val Asp Ile Gln Arg Arg His Leu Arg
                                200
                                                    205
           195
261 Val Gly Leu Lys Gly Gln Pro Ala Ile Ile Asp Gly Glu Leu Tyr Asn
                                                220
       210
                            215
265 Glu Val Lys Val Glu Glu Ser Ser Trp Leu Ile Glu Asp Gly Lys Val
                                            235
                        230
266 225
269 Val Thr Val His Leu Glu Lys Ile Asn Lys Met Glu Trp Trp Ser Arg
                    245
                                        250
273 Leu Val Ser Ser Asp Pro Glu Ile Asn Thr Lys Lys Ile Asn Pro Glu
                                                        270
               260
                                    265
274
277 Asn Ser Lys Leu Ser Asp Leu Asp Ser Glu Thr Arg Ser Met Val Glu
           275
                                280
                                                    285
281 Lys Met Met Tyr Asp Gln Arg Gln Lys Ser Met Gly Leu Pro Thr Ser
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       290
                            295
                                                300
285 Asp Glu Gln Lys Lys Gln Glu Ile Leu Lys Lys Phe Met Asp Gln His
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308 Phe Ser Phe Leu Arg Arg Lys Thr Asp Phe Phe Ile Gly Gly Glu Glu
           35
312 Gly Met Ala Glu Lys Leu Ile Thr Gln Thr Phe Asn His His Asn Gln
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316 Leu Ala Gln Lys Ala Arg Arg Glu Lys Arg Ala Arg Gln Glu Thr Glu
317 65
                        70
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320 Arg Arg Glu Lys Ala Glu Arg Ala Ala Arg Leu Ala Lys Glu Ala Lys
324 Ala Glu Thr Pro Gly Pro Gln Ile Lys Glu Leu Thr Asp Glu Glu Ala
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Input Set : A:\EP.txt

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                            135
                                                140
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336 Ala Glu Glu Glu Asp Glu Glu Asp Glu Lys Asp Lys Gly Lys Leu
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                        150
337 145
340 Lys Pro Asn Leu Gly Asn Gly Ala Asp Leu Pro Asn Tyr Arg Trp Thr
                    165
                                        170
344 Gln Thr Leu Ser Glu Leu Asp Leu Ala Val Pro Phe Arg Val Ser Phe
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348 Arg Leu Lys Gly Lys Asp Val Val Val Asp Ile Gln Arg Arg His Leu
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352 Arg Val Gly Leu Lys Gly Gln Ala Pro Val Ile Asp Gly Glu Leu Tyr
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360 Val Val Thr Val His Leu Glu Lys Ile Asn Lys Met Glu Trp Trp Asn
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364 Arg Leu Val Thr Ser Asp Pro Glu Ile Asn Thr Lys Lys Ile Asn Pro
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368 Glu Asn Ser Lys Leu Ser Asp Leu Asp Ser Glu Thr Arg Ser Met Val
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                                280
372 Glu Lys Met Met Tyr Asp Gln Arg Gln Lys Ser Met Gly Leu Pro Thr
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376 Ser Asp Glu Gln Lys Lys Gln Glu Ile Leu Lys Lys Phe Met Asp Gln
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399 Pro Tyr Lys Trp Thr Gln Thr Ile Arg Asp Val Asp Val Thr Ile Pro
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403 Val Ser Ala Asn Leu Lys Gly Arg Asp Leu Asp Val Val Leu Lys Lys
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                                                60
407 Asp Ser Ile Lys Val Lys Val Lys Gly Glu Asn Gly Glu Val Phe Ile
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411 Asp Gly Gln Phe Pro His Pro Ile Lys Pro Ser Glu Ser Ser Trp Thr
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415 Leu Glu Thr Thr Ser Lys Pro Pro Gly Lys Glu Val Ser Ile His Leu
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419 Asp Lys Val Asn Gln Met Glu Trp Trp Ala His Val Val Thr Thr Ala
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Input Set : A:\EP.txt

Output Set: N:\CRF4\08282002\1623568A.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:16; Xaa Pos. 9,11

VERIFICATION SUMMARY

DATE: 08/28/2002

PATENT APPLICATION: US/09/623,568A

TIME: 10:39:02

Input Set : A:\EP.txt

Output Set: N:\CRF4\08282002\1623568A.raw

L:496 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:16 after pos.:0